

UNSAFE STRUCTURES BOARD MINUTES OF JANUARY 20th, 1999

Members Present: Harry Childs, Chairman Patricia Birch
Walter Williams Kathy Babl-Loy
Orange Hayes Jose Vera

Staff: Theodore Berman Augusto Maxwell, Asst. Cnty. Attorney
Yvonne Bell

Court Reporter: Melanie Stinson

Commenced at 1:25 P.M.

Mr. Childs requested a motion to approve and accept the minutes of the December 16, 1998 Unsafe Structures Board Meeting. A motion was made by Mr. Williams and seconded by Mrs. Loy.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Theodore Berman announced the following two Miami-Dade County cases **withdrawn for compliance**:

Miami-Dade County Cases:

DC98-362UT	7790 S.W. 69 Avenue - structure demolished
DC98-671U	15201 Memorial Highway - structure demolished

Mr. Berman then announced the following City of Miami cases **deferred** to the February 17, 1999 Unsafe Structures Board Meeting:

City of Miami Cases:

M99-002	421 N.W. 3 Street
M99-009	1710 N.W. 6 Street

Mr. Berman announced the following Miami-Dade County and City of Miami cases where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC97-684U	1747 N.W. 85 Street
DC97-927UT	19825 S.W. 134 Court
DC98-224UT	11836 S.W. 272 Terrace
DC98-250U	14833 N. Miami Avenue
DC98-489U	11850 S.W. 206 Terrace
DC98-602U	2901 N.W. 162 Street
DC98-728U	1347 N.W. 74 Street
DC98-729U	8440 N.W. 190 Terrace

Miami-Dade County cont...

DC98-764U	18155 S.W. 157 Avenue
DC98-783U	2770 N.W. 55 Street
DC99-21U	1655 N.W. 79 Street

City of Miami Cases:

M99-005	1435 N.W. 61 Street
M99-006	1455 N.W. 61 Street
M99-007	1475 N.W. 61 Street

Mr. Berman then announced the following Miami-Dade County and City of Miami cases that were **uncontested**:

Miami-Dade County Cases:

DC97-508UT	10440 S.W. 183 Street
DC98-18UT	7545 N.W. 14 Avenue
DC98-76U	5264 N.W. 24 Avenue
DC98-258U	2734 N.W. 58 Street
DC98-349U	15700 N.W. 39 Place
DC98-383UT	890-92 N.W. 106 Street
DC98-563U	2270 N.W. 51 Terrace
DC98-564UT	400 N.W. 202 Terrace
DC98-580U	22601 S.W. 139 Avenue
DC98-625UT	3282 N.W. 50 Street
DC98-726UT	4506 N.W. 22 Court

City of Miami Cases:

M99-001	154 N.W. 61 Street
M99-003	1161 N.W. 3 Street
M99-004	1368 N. Miami Avenue
M99-008	1618 N.W. 55 Street
M99-010	1845 N.W. 21 Terrace

The case resumes and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mr. Childs requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mrs. Loy and seconded by Mr. Williams.

Motion passed unanimously.

Mr. Childs informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants going to be heard by the Unsafe Structures Board were sworn in at 1:50 P.M. by the court reporter.

Mr. Berman then called forth the first case to be heard from Miami-Dade County where the **interested party** disagreed with the Building Official's findings:

DC98-736U

Ernest Junior Jones &/W Pamela Ann, 19521 N.W. 38 Avenue

Deputy Building Ignacio Sanchez introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Sanchez gave an account of structure (A) and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mr. Sanchez then proceeded to read the criteria for structure (B) and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Interested Party, Todd Marcum, stated that he is in the process of purchasing the property and the closing will be taking place the first week of February. Mr. Marcum commented that the house is in good condition and can be bought up to code.

Upon much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Loy that "said structures be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible." Motion seconded by Mr. Williams.

Motion passed unanimously.

Mr. Berman called forth the second Miami-Dade County case to be heard:

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal gave an account of structure (A) and recommended that "said structure be secured within five (5) working days. The following securing method is approved: N/A (structure secure). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred fifty (150) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mr. Villareal then proceeded to read the criteria for structure (B) and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Attorney for the owner, Marcia Caballero, stated that because the plans need to be revised, they need more time for structure (B). The construction should take no more that 5 months once things get underway.

Michelle Morejon, commented that structure (A) can be completed in 5 months. They need 6½ months after permitting for structure (B).

After much discussion, Mr. Childs requested a motion from the Board. Mrs. Birch made a motion that. "The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure (A) must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within two hundred ten (210) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure (A) shall be demolished by the County as soon as possible."

The complete building or structure shall be made to conform to all the requirements for a new building or structure and shall be completed within two hundred ten (210) days after obtaining the permit. The completion of structure (B) shall be determined when a final inspection approval is obtained on the building permit. These motions were seconded by Mrs. Loy.

Motion passed unanimously.

Mr. Berman called forth the last case to be heard presented by Miami-Dade County:

DC98-278U

Adrienne Emeilie Bourbeau, 2629 S.W. 63 Avenue

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal commented that the structures are currently secured and then proceeded to give an account of the structure and recommended that "said structures be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible."

Owner, Adrienne Emeilie Bourbeau, stated that building (C) has since been demolished. As far as structure (A) she would like to restore the structure. Mrs. Bourbeau enlightened the Board that she is entitled to \$76,000 through her pension fund which will be available to her in June, at this time she will have the funds to repair the structure. She has contracted a structural engineer and contractor that will be able to work with these funds.

Mr. Childs closed the floor discussion and requested a motion. A motion was made by Mrs. Birch that "said structure be secured within five (5) working days. The following securing method is approved: fencing. "The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure (A) must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure (A) shall be demolished by the County as soon as possible." Motion seconded by Mrs. Loy.

Motion passed unanimously.

There being no further business, a motion was made by Mrs. Birch to adjourn the meeting at 2:45 P.M. and seconded by Mrs. Loy. The motion was passed unanimously by a voice vote of the Board.

Prepared by: _____
Recording Secretary Chairman

Date: _____

UNSAFE STRUCTURES BOARD MINUTES OF FEBRUARY 17th, 1999

Members Present:	Harry Childs, Chairman	Patricia Birch
	Walter Williams	Orange Hayes
	Jose Vera	
Staff:	Theodore Berman	Augusto Maxwell, Asst. Cnty. Attorney
	Yvonne Bell	

Court Reporter: _____

Commenced at 1:25 P.M.

Mr. Childs requested a motion to approve and accept the minutes of the January 20th, 1998 Unsafe Structures Board Meeting. A motion was made by Mr. Williams and seconded by Mrs. Loy.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Theodore Berman announced the following two Miami-Dade County cases **withdrawn for compliance**:

Miami-Dade County Cases:

DC98-362UT 7790 S.W. 69 Avenue - **structure demolished**

DC98-671U 15201 Memorial Highway - **structure demolished**

Mr. Berman then announced the following City of Miami cases **deferred** to the February 17, 1999 Unsafe Structures Board Meeting:

City of Miami Cases:

M99-002 421 N.W. 3 Street

M99-009 1710 N.W. 6 Street

Mr. Berman announced the following Miami-Dade County and City of Miami cases where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC97-684U 1747 N.W. 85 Street

DC97-927UT 19825 S.W. 134 Court

DC98-224UT 11836 S.W. 272 Terrace

DC98-250U 14833 N. Miami Avenue

DC98-489U 11850 S.W. 206 Terrace

DC98-602U 2901 N.W. 162 Street

DC98-728U 1347 N.W. 74 Street

DC98-729U 8440 N.W. 190 Terrace

Miami-Dade County cont...

DC98-764U 18155 S.W. 157 Avenue

DC98-783U 2770 N.W. 55 Street

DC99-21U 1655 N.W. 79 Street

City of Miami Cases:

M99-005 1435 N.W. 61 Street

M99-006 1455 N.W. 61 Street

M99-007 1475 N.W. 61 Street

Mr. Berman then announced the following Miami-Dade County and City of Miami cases that were **uncontested**:

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DC98-349U 15700 N.W. 39 Place

DC98-383UT 890-92 N.W. 106 Street

DC98-563U 2270 N.W. 51 Terrace

DC98-564UT 400 N.W. 202 Terrace

DC98-580U 22601 S.W. 139 Avenue

DC98-625UT 3282 N.W. 50 Street

DC98-726UT 4506 N.W. 22 Court

City of Miami Cases:

M99-001 154 N.W. 61 Street

M99-003 1161 N.W. 3 Street

M99-004 1368 N. Miami Avenue

M99-008 1618 N.W. 55 Street

M99-010 1845 N.W. 21 Terrace

The case resumes and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mr. Childs requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mrs. Loy and seconded by Mr. Williams.

Motion passed unanimously.

Mr. Childs informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants going to be heard by the Unsafe Structures Board were sworn in at 1:50 P.M. by the court reporter.

Mr. Berman then called forth the first case to be heard from Miami-Dade County where the **interested party** disagreed with the Building Official's findings:

DC98-736U Ernest Junior Jones &/W Pamela Ann, 19521 N.W. 38 Avenue

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Upon much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Loy that "said structures be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible." Motion seconded by Mr. Williams.

Motion passed unanimously.

Mr. Berman called forth the second Miami-Dade County case to be heard:

DC98-204U Century Investors & Developers, Inc., 8382-8388 S.W. 157 Ave.

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal gave an account of structure (A) and recommended that "said structure be secured within five (5) working days. The following securing method is approved: N/A (structure secure). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred fifty (150) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

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Attorney for the owner, Marcia Caballero, stated that because the plans need to be revised, they need more time for structure (B). The construction should take no more than 5 months once things get underway.

Michelle Morejon, commented that structure (A) can be completed in 5 months. They need 6½ months after permitting for structure (B).

After much discussion, Mr. Childs requested a motion from the Board. Mrs. Birch made a motion that. "The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure (A) must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within two hundred ten (210) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure (A) shall be demolished by the County as soon as possible."

The complete building or structure shall be made to conform to all the requirements for a new building or structure and shall be completed within two hundred ten (210) days after obtaining the permit. The completion of structure (B) shall be determined when a final inspection approval is obtained on the building permit. These motions were seconded by Mrs. Loy.

Motion passed unanimously.

Mr. Berman called forth the last case to be heard presented by Miami-Dade County:

DC98-278U Adrienne Emeilie Bourbeau, 2629 S.W. 63 Avenue

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal commented that the structures are currently secured and then proceeded to give an account of the structure and recommended that "said structures be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible."

Owner, Adrienne Emeilie Bourbeau, stated that building (C) has since been demolished. As far as structure (A) she would like to restore the structure. Mrs. Bourbeau enlightened the Board that she is entitled to \$76,000 through her pension fund which will be available to her in June, at this time she will have the funds to repair the structure. She has contracted a structural engineer and contractor that will be able to work with these funds.

Mr. Childs closed the floor discussion and requested a motion. A motion was made by Mrs. Birch that "said structure be secured within five (5) working days. The following securing method is approved: fencing. "The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure (A) must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure (A) shall be demolished by the County as soon as possible." Motion seconded by Mrs. Loy.

Motion passed unanimously.

There being no further business, a motion was made by Mrs. Birch to adjourn the meeting at 2:45 P.M. and seconded by Mrs. Loy. The motion was passed unanimously by a voice vote of the Board.

Prepared by: _____

Recording Secretary Chairman

Date:_____

UNSAFE STRUCTURES BOARD MINUTES OF MARCH 31, 1999

Members Present:

Harry Childs, Chairman	Patricia Birch, Vice-Chairperson
Walter Williams	Orange Hayes
Jose Vera	Gordon Loader
Laurence Jay Michelson	Kathy Babl-Loy

Staff:

Theodore Berman, Clerk of the Board

Bruce Libhaber, Asst. County Attorney

Yvonne Bell, Recording Secretary

Court Reporter: Michelle Jewell, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, March 31, 1999, on the 16th Floor Conference Room of the Metro-Dade Flagler Building at 140 W. Flagler Street, Suite #1605, Miami-Dade, Florida 33130.

The Board opened with thanking Asst. County Attorney Walter Harvey for his dedicated service to the Unsafe Structures Board. The Board wanted Mr. Harvey to know that he will be greatly missed and wished him continued success on his new job.

Clerk of the Board, Mr. Theodore Berman took a moment to introduce and welcome two new Board members, Mr. Gordon Loader and Mr. Larry Michelson.

Mr. Childs then requested a motion to approve and accept the minutes of the January 20th, 1999 Unsafe Structures Board Meeting. A motion was made by Mrs. Loy and seconded by Mrs. Birch.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Theodore Berman announced the following Miami-Dade County cases **withdrawn for compliance**:

Miami-Dade County Case:

DC98-696UT 12225 N.W. 20 Avenue (**owner obtained building permit**)

DC98-858U 4749 N.W. 22 Avenue(**structure demolished**)

Mr. Berman then announced the following City of Miami case **withdrawn**:

City of Miami Case:

M99-027 3310 N.W. 9 Court (**property in foreclosure proceedings**)

Mr. Berman announced the following Miami-Dade County, City of Miami and the City of Coral Gables cases where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC97-1067U 11648 N.W. 7 Avenue
DC98-366UT 2782 N.W. 29 Street
DC98-371UT 1785 N.W. 67 Street
DC98-402U 14290 S.W. 268 Street
DC98-411U 7965 S.W. 199 Terrace
DC98-423UT 7841 S.W. 197 Terrace
DC98-523U 7006 S.W. 13 Street
DC98-550UT 14925 N.E. 11 Court
DC98-573UT 29460 California Road
DC98-583U 12950 S.W. 192 Street
DC98-645UT 3695-97 N.W. 187 Street
DC98-746UT 3200 N.W. 171 Street
DC98-830U 3930 N.W. 191 Street
DC98-899U 7017 N.W. 18 Avenue
DC98-908U 7929-31 N.W. 57 Street

City of Miami Case:

M99-013 165 N.E. 76 Street (rear structure)

City of Coral Gables Case:

CG99-01 4001 Santa Maria Street

Mr. Berman then announced the following Miami-Dade County, City of Miami and City of North Miami Beach cases that were **uncontested/no show**:

Miami-Dade County Cases:

DC98-70U 20039 N.W. 62 Avenue
DC98-137UT 1719 N.W. 62 Avenue
DC98-194U 9720 S.W. 184 Street
DC98-296U 14901 N.W. 11 Avenue
DC98-384UT 1174 N.W. 101 Street
DC98-568UT 20042 S.W. 123 Drive
DC98-674UT 8295 N.E. 4 Avenue

DC98-803UT 15737 N.W. 40 Court

DC98-810UT 3251 N.W. 175 Street

DC98-831U 3940 N.W. 191 Street

DC98-834U 1240 N.W. 100 Street

DC98-860U 2238 N.W. 86 Street

DC98-916U 2375 N.W. 57 Street

City of Miami Cases:

M99-011 36 N.W. 51 Street

M99-012 84 N.W. 34 Street

M99-014 233 N.W. 20 Terrace

M99-015 233 N.W. 63 Street

M99-016 249 N.W. 9 Street

M99-018 771 N.W. 13 Street

M99-021 348 N.W. 7 Street

M99-022 773 N.W. 35 Street

M99-023 1032-34 N.W. 34 Street

M99-025 1269 N.W. 31 Street

M99-026 2954 N.W. 14 Avenue

City of North Miami Beach Case:

NMB99-01 34 N.W. 169 Street

The cases and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mr. Childs requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mr. Williams and seconded by Mr. Vera.

Motion passed unanimously.

Mr. Childs informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants going to be heard by the Unsafe Structures Board were sworn in at 1:50 P.M. by the court reporter.

Mr. Berman then called forth the first case to be heard from Miami-Dade County where the **attorney for the**

Williams family disagreed with the Building Official's findings:

**DC98-706UT Alfred Jr., Nathaniel, Charles, Freddie, Alphonso,
James & Olivia Williams, J. Curry & C. Tillman, 30230 S.W. 158
Avenue**

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal gave an account of structure (A) and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti.

The structure must be completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mr. Villareal then proceeded to read the criteria for structure (B) and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Jeffrey Goodz, attorney for the Williams family, commented that the house was damaged by Hurricane Andrew. They hired a contractor to do the repairs to the structure but he took off with the money. Mr. Goodz asked the Board for a deferral, because the case is still in litigation and he is trying to recover the monies that the family had given for the repairs. He will notify the Williams family that the garage door needs to be secured immediately.

Upon much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Birch that "said structures be secured within ten (10) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structures must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible." Motion seconded by Mrs. Loy.

Motion passed unanimously.

Mr. Berman called forth the second case to be heard presented by the City of Miami Beach:

MB99-001 Michael & Carmen Klepper & Mercedes Ugarriza,

545 South Shore Drive

Deputy Senior Building Official Jeri Goodkin introduced photographs and a case resume into evidence to be reviewed by the Board.

Ms. Goodkin enlightened the Board that the owner was not present, but per her supervisor she needed to present the case anyway and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami Beach as soon as possible."

Mr. Childs requested a motion from the Board. A motion was made by Mr. Williams to uphold the Building Official's recommendation to demolish the structure. Motion seconded by Mr. Vera.

Motion passed unanimously.

Mr. Berman called forth the third case to be heard presented by Miami-Dade County:

DC98-804UT Andrew C. McCleod, 396 N.E. 152 Street

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structures and "said structure (A) be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mr. Navarro then proceeded to read the criteria for structure (B) and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Realtor Raul Gonzalez, stated that he represents the bank who acquired the property on February 25, 1999. Mr. Gonzalez further enlightened the Board that the structure is cleaned and secured.

Prospective buyer, Mr. Thomas Thomson, commented that if he acquires the property, he can abide with what the Board request and repair the property within the timeframe given.

Mr. Childs closed the floor discussion and requested a motion. A motion was made by Mrs. Loy to uphold the Building Official's recommendation for structures (A) and (B) with the following amendment:

The building permit for structure (A) be pulled with ninety (90) days, instead of sixty (60) days.

Motion seconded by Mrs. Birch. **Motion passed unanimously.**

Mr. Berman called forth the fourth case to be heard presented by the City of Miami:

M99-020 Dulce M. Fuertes, 1710 N.W. 6 Street

Deputy Building Official Cedric Mar introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Mar gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible."

Property Owner, Dulce Fuertes, stated that the roof was redone in 1990 and was approved by the City of Miami. She commented that she had gone to City of Miami on several occasions and requested to see photos of what was cited and Mr. Mar kept insisting that he didn't have the pictures. Mr. Fuertes further insisted that the City of Miami is harassing her and she is not going to let them inside to do an assessment of the structure.

Mr. Childs closed the floor discussion and requested a motion. A motion was made by Mrs. Loy to uphold the Building Officials' recommendation that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible." Motion seconded by Mr. Williams.

Motion passed unanimously.

Mr. Berman called forth the fifth case to be heard presented by the City of Miami:

M99-019 Peter B. Sobel, 421 N.W. 3 Street

Deputy Building Official Cedric Mar introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Mar gave an account of the structure and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible."

Peter Sobel, the property owner, stated that he has owned the building in question for 33 years. He requested a continuance from the Board because he feels per the South Florida Building Code he has a 30-day appeal right. Mr. Sobel commented that the City of Miami kept changing the figures of deterioration to the structure. First, he was ordered to repair or demolish the structure, then it changed to a straight demolition order. He does not agree with the City of Miami that the cost of repairs are \$74,000. He has hired a contractor and a structural engineer to start the repairs, but are awaiting the outcome of the hearing so they can proceed with the repairs to the building. Mr. Sobel admitted there are tenants residing in the building and paying him rent.

Peter Lundman, structural engineer, stated that he needs more time to do an estimate of structural damage to the building. Mr. Lundman advised the Board that he can have the building repaired in 3 months.

Mr. Childs requested a motion from the Board. A motion was made by Mrs. Loy that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure must be repaired or completed. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible." Motion seconded by Mrs. Birch.

Mr. Berman called forth the last case to be heard presented by Miami-Dade County:

DC98-733U Oscar Martinez, 11273 S.W. 189 Lane

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal gave an account of the structure and recommendation that "said structure (A) be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mr. Villareal then proceeded to read the criteria for structures (B) and (C) and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mr. Carlos Chapaus, part owner of the house, commented that he and his partner bought the property 2 years ago for \$12,000 because of fire damage. It wasn't until then that an illegal addition was discovered. Mr. Chapaus wants to repair the structure, but needs 2 months to come up with the funds. He reiterated that the house is secured and the grass is being maintained and has no problem demolishing the accessory shed.

After much discussion, Mr. Childs requested a motion from the Board. Mrs. Loy made a motion that. "The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structures (A) and (B) must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible."

Mrs. Loy then proceeded to read the motion for structure (C) and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible." These motions were seconded by Mrs. Birch.

Motion passed unanimously.

Mr. Childs informed the Board that he reviewed the Annual Review report of the Unsafe Structures Board for 1998 and felt that everything was in order, but the Board wanted to review the report also and requested that a copy be sent in the packet for the April meeting.

There being no further business, a motion was made by Mrs. Birch to adjourn the meeting at 4:17 P.M. and seconded by Mrs. Loy. The motion was passed unanimously by a voice vote of the Board.

Prepared by: Yvonne Bell _____

Recording Secretary Chairman

Date: _____

UNSAFE STRUCTURES BOARD MINUTES OF APRIL 21, 1999

Members Present: Harry Childs, Chairman Patricia Birch, Vice-Chairperson
Walter Williams Jose Vera
Gordon Loader Kathy Babl-Loy

Staff: Theodore Berman, Clerk of the Board
Bruce Libhaber, Asst. County Attorney
Yvonne Bell, Recording Secretary

Court Reporter: Michelle Jewell, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:30 P.M. on Wednesday, March 31, 1999, on the 16th Floor Conference Room of the Metro-Dade Flagler Building at 140 W. Flagler Street, Suite #1605, Miami-Dade, Florida 33130.

Mrs. Birch then requested a motion to approve and accept the minutes of the March 31, 1999 Unsafe Structures Board Meeting. A motion was made by Mrs. Loy and seconded by Mr. Loader.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mrs. Birch asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Theodore Berman announced the following Miami-Dade County cases **withdrawn for compliance**:

Miami-Dade County Cases:

DC98-890U 4761 N.W. 22 Avenue (**owner to demolish**)

DC99-22U 1258 N.W. 100 Terrace (**structure demolished**)

Mr. Berman then announced the following City of Miami case **withdrawn for compliance**:

City of Miami Case:

M99-031 1118 N.W. 47 Street

Mr. Berman announced the following Miami-Dade County and the City of Miami where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC97-953UT 675 N.E. 88 Terrace

DC97-1045U 16800 S.W. 300 Street

DC98-251UT 3952 N.W. 182 Lane

DC98-252UT 3954 N.W. 182 Lane

DC98-323U 2310 N.W. 61 Street

DC98-744UT 15570 N.W. 158 Street Road

DC98-832U 19721 N.W. 59 Street

DC98-882U 3120 N.W. 58 Street

DC99-20U 9799 S.W. 182 Street

DC99-66U 14832 S.W. 148 Street Circle

City of Miami Cases:

M99-029 923 N.W. 62 Street

M99-032 1192 N.W. 65 Street

Mr. Berman then announced the following Miami-Dade County, City of Miami and City of North Miami Beach cases that were **uncontested/no show**:

Miami-Dade County Cases:

DC98-39U 3950 N.W. 182 Lane

DC98-253UT 3956 N.W. 182 Lane

DC98-285UT 13607 S.W. 285 Terrace

DC98-286UT 13618 S.W. 285 Terrace

DC98-287UT 13622 S.W. 285 Terrace

DC98-447U 18910-12 S.W. 113 Place

DC98-506UT 3900 N.W. 213 Street

DC98-646UT 3971 N.W. 190 Street

DC98-761U 5550 N.W. 31 Avenue

DC98-802UT 21322 N.W. 40 Circle Court

DC98-854UT 1964 N.W. 59 Street

DC98-869U 2770 N.W. 57 Street

DC98-872U 2934 N.W. 44 Street

DC98-884U 3165 N.W. 57 Street

DC98-888U 1300 N.W. 103 Street

DC98-930UT 19532 N.W. 38 Court

DC98-939U 21443 N.W. 40 Circle Court

DC99-23UT 20010 N.W. 12 Avenue

DC99-65U 11830 S.W. 226 Street

DC99-69U 2033 N.W. 70 Street

DC99-72U 7335 Old Elm Drive

City of Miami Cases:

M99-028 244 N.W. 16 Street

M99-033 1228 N.W. 45 Street

M99-034 1351 N.W. 59 Street

M99-035 1405 N.W. 60 Street

M99-037 1606 N.W. 58 Terrace

M99-038 6005 N.W. 15 Avenue

City of North Miami Beach Case:

NMB99-02 351 N.E. 180 Drive

The cases and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mrs. Birch requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mrs. Loy and seconded by Mr. Vera.

Motion passed unanimously.

Mr. Birch informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants going to be heard by the Unsafe Structures Board were sworn in at 1:45 P.M. by the court reporter.

Mr. Berman then called forth the first case to be heard from Miami-Dade County where the **daughter of the deceased owner** disagreed with the Building Official's findings:

DC99-73U Odell Johns &/W Juanita, 22025 S.W. 116 Avenue

DC99-64U Odell Johns &/W Juanita, 11839 S.W. 214 Street

AKA 11839-41 S.W. 214 Street

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal informed the Board that this owner has two properties to be heard by the Board. He then gave an account of the first structure at 22025 S.W. 116 Avenue and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South

Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Kim Johns, daughter of the deceased owner's, informed the Board that this case is in probate court and commented that she has tried to get repair permits for the structure, but the Permitting Section told her that she had to be the owner of the property to get the permits. Mrs. Johns does not want the structure demolished, she wants to rehabilitate the building and rent it out again and has no problem boarding the windows.

Upon much discussion, Mrs. Birch requested a motion. A motion was made by Mrs. Loy to uphold the Building Official's recommendation with the following amendments:

1. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred eighty (180) days from today.
2. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit.

Motion seconded by Mr. Williams .

Motion passed unanimously.

Mr. Villareal then proceeded with the second structure cited by the Unsafe Structures Unit at 11839-41 S.W. 214 Street and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Kim Johns, daughter of the deceased owners, once again informed the Board that this case is in probate court and she has tried to get repair permits for the structure, but the Permitting Section told her that she had to be the owner of the property to get the permits. She reiterated that she also wants to rehabilitate this structure.

After much discussion, Mrs. Birch requested a motion. A motion was made by Mrs. Loy to uphold the Building Official's recommendation with the following amendments:

- (1) The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred eighty (180) days from today.
- (2) The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit.

Motion seconded by Mr. Williams .

Motion passed unanimously.

Mr. Berman called forth the second case to be heard presented by Miami-Dade County where the **attorney for the owner's** wished to speak behalf of his clients.

DC98-666U Orlando Hechevarria, 18788 N.W. 84 Avenue

DC98-667U Domingo LaRosa &/W Delfina, 18790 N.W. 84 Avenue

DC98-668U Jorge L. Ramos &/W Jenny C., 18798 N.W. 84 Avenue

DC98-669U Armando G. Jorge &/W Gilda G., 18800 N.W. 84 Avenue

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the four structures and recommended that "said structure (A) be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structures must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible."

Attorney Tim Hinkel, who represented the four owner's of these structures commented that this case is in litigation as to who is responsible for the repairs to these homes. Mr. Hinkel stated that two families have since relocated, but the other two families do not have anywhere else to go, so they have no choice but to reside in these condemned homes. Mr. Hinkel further commented that repairs have not commenced, because homeowner's insurance will not cover the damages caused by the faulty excavation, so therefore the families do not have the funds to repair. He wants a 6-month extension to get the lawsuit settled.

Upon much discussion, Mrs. Birch requested a motion. A motion was made by Mrs. Loy to uphold the Building Official's recommendation of the four structures with the following amendments:

(1) The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within three hundred sixty (360) days from today.

(2) The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit.

Motion seconded by Mr. Loader.

Motion passed unanimously.

Mr. Berman called forth the third case to be heard presented by the City of Miami Beach where the **property owner** disagreed with the Building Official's findings to demolish.

Deputy Senior Building Official Jeri Goodkin introduced photographs and a case resume into evidence to be reviewed by the Board.

Ms. Goodkin gave an account of the structure and recommended the following:

- . Property owner must clean the entire property within 48 hours.
- B. Property owner must shore-up the interior of the house (living room, dining room and kitchen area) excluding the bedrooms, by a licensed contractor within 48 hours.
- C. If A and B are completed within the above time frames, property owner will have 60 days to repair or demolish the structure.

If any of the above conditions are not complied with, the City of Miami Beach will demolish the structure and lien the property accordingly.

Property owner, Mimi Taylor, stated that there is only one room damaged of the 8-bedroom home. She commented that if the City of Miami Beach would give her key back she will show them that the house is habitable. Mrs. Taylor informed the Board that she has lived in this house for 40 years and does not want to see the house demolished.

Mrs. Birch requested a motion from the Board. A motion was made by Mrs. Loy to uphold the Building Official's recommendation with the following amendment:

(A) Property owner must clean the entire property within 5 business days.

.

- . Property owner must shore-up the interior of the house (living room, dining room and kitchen area) excluding the bedrooms, by a licensed contractor within 5 business days.

- B. If A and B are completed within the above time frames, property owner will have 60 days to repair or demolish the structure.

If any of the above conditions are not complied with, the City of Miami Beach will demolish the structure and lien the property accordingly.

Motion seconded by Mr. Childs.

Motion passed unanimously.

Mr. Berman called forth the fourth case to be heard presented by Miami-Dade County:

DC99-54U Jeff Davis, 7762 N.W. 15 Avenue

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the rear frame addition and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mrs. Davis, stated that she hired a contractor to make the plans showing the addition. She wants to demolish the

addition and rebuild a legal building. Mrs. Davis commented that she needs 6 months to get a permit.

After much discussion, Mrs. Birch requested a motion of the Board. A motion was made by Mr.

Childs that "said structure secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structures must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible." Motion seconded by Mrs. Loy.

Motion passed unanimously.

Mr. Berman called forth the fifth case to be heard presented by the City of Miami:

M99-030 Wilshire Funding Corp., 990 N.W. 48 Street

Deputy Building Official Cedric Mar introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Mar gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible."

Roy Diaz, representative for Wilshire Funding Corp, stated that there is a lawsuit pending and the property was originally owned by Odell Mason, who executed a mortgage to United Mortgage. United Mortgage foreclosed and took title to the property and sold it to Wilshire. Mr. Diaz commented that the property is worth \$50,000 and would like to salvage the structure. The lawsuit will take about an additional 180 days assuring there are no delays or errors. Mr. Diaz commented they have no problems securing the structure, but would need 10 days to do so.

A concerned police officer, stated that this is not a drug-infested area, but he has caught young teenagers inside. There are schools adjacent to the structure and they are using this house as a place to hang out. He wants to see the structure rehabilitated.

Mrs. Birch closed the floor discussion and requested a motion. A motion was made by Mrs. Loy that "said structure be secured within five (5) working days. The following securing method is approved: plywood. After the (5) day securing of plywood structure said structure shall be secured with CBS block within thirty (30) days. The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Architect/Engineer's sealed plans. A

building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within two hundred ten (210) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit.

If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible." Motion seconded by Mr. Childs.

Motion passed unanimously.

Mr. Berman called forth the last case to be heard presented by the City of Miami:

M99-036 Joe Gibson, 1501 N.W. 62 Street

Deputy Building Official Cedric Mar introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Mar gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired. The structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible."

Property owner, Joe Gibson, stated that he was sick at the time the structure was vandalized. He asks that the Board give him a year to find the funds and rehabilitate the structure.

Mrs. Birch requested a motion from the Board. A motion was made by Mrs. Loy that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Structure must be repaired or completed. The structure must be repaired or completed with Laboratory Tests, Engineer's Certification and Architect/Engineer's Certification sealed plans. The Engineer's Certification must be submitted within one hundred twenty (120) days from today. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible." Motion seconded by Mrs. Birch.

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Annual Review Report

The Board voted to accept the Annual Review report of the Unsafe Structures Board for 1998. A motion was made by Mrs. Loy to accept the report of the Unsafe Structures Board for 1998 and seconded by Mr. Williams. Motion passed unanimously by a voice vote of the Board.

There being no further business, a motion was made by Mrs. Loy to adjourn the meeting at 4:00 P.M. and seconded by Mrs. Williams. The motion was passed unanimously by a voice vote of the Board.

UNSAFE STRUCTURES BOARD MINUTES OF MAY 19, 1999

Members Present: Harry Childs, Chairman Walter Williams Jose Vera

Gordon Loader Orange Hayes

Staff: Theodore Berman, Clerk of the Board

Augusto Maxwell, Asst. County Attorney

Yvonne Bell, Recording Secretary

Court Reporter: John A. Guc, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:30 P.M. on Wednesday, May 19, 1999, on the 16th Floor Conference Room of the Metro-Dade Flagler Building at 140 W. Flagler Street, Suite #1605, Miami-Dade, Florida 33130.

Mr. Childs then requested a motion to approve and accept the minutes of the April 21, 1999 Unsafe Structures Board Meeting. A motion was made by Mr. Loader and seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman announced the following City of Miami cases **withdrawn for compliance**:

City of Miami Case:

M99-040 128 N.E. 46 Street

M99-042 5422 N.E. 1 Court

Mr. Berman announced the following City of Miami Beach case **deferred until the July 21, 1999 Unsafe Structures Board Hearing**:

Miami Beach Case:

MB99-003 1769 Lenox Avenue

Mr. Berman then announced the following Miami-Dade County and City of Miami cases where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC98-384UT 1174 N.W. 101 Street

DC98-670U 541 N.E. 164 Terrace

DC99-342UT 10051 S.W. 41 Terrace

City of Miami Cases:

M99-041 5027 N.W. 6 Avenue

M99-044 5927 N.W. 1 Avenue

Mr. Berman announced the following Miami-Dade County and City of Miami cases that were **uncontested/no show**:

Miami-Dade County Cases:

DC97-804UT 2977 N.W. 49 Street

City of Miami Cases:

M99-039 120 N.E. 50 Terrace

M99-043 5701 N.E. 1 Court

The cases and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mr. Childs requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mr. Williams and seconded by Mr. Vera.

Motion passed unanimously.

Mr. Childs informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants being heard by the Unsafe Structures Board were sworn in at 1:45 P.M. by the court reporter.

Mr. Berman then called forth the first case to be heard from Miami-Dade County where the **attorney for the mortgage holder** disagreed with the Building Official's recommendation to demolish the additions:

DC98-70U Housing and Urban Development, 20039 N.W. 62 Avenue

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structure and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mr. Navarro further informed the Board that the Unsafe Structures Unit has received numerous complaints concerning this property. There were no permits pulled and this poses a violation of the Zoning Code. Mr. Navarro stated that during his routine inspections of the property he has witnessed vandalism, graffiti and gang activity.

Mr. Craig Dernis, attorney for the mortgage holder, stated he would like a continuance of this hearing,

due to the fact that even though the records show Housing and Urban Development (HUD) as the owner the deed has not yet been recorded. Mr. Dernis commented that it is only fair to give HUD a chance to come and represent the property.

After much discussion, Mr. Childs requested a motion. A motion was made by Mr. Williams to uphold the Building Official's recommendation to demolish the structure within thirty (30) days.

Motion seconded by Mr. Vera .

Motion passed unanimously.

Mr. Berman called forth the last case to be heard presented by the City of Miami where a **representative for the mortgage holder** wished to speak on behalf Chase Manhattan:

M99-045 Alphonse J. Daniels, 5927 N.W. 1 Avenue

Deputy Building Official Cedric Mar introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Mar gave an account of the structure and recommended "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible."

Martin E. Pons, attorney for the mortgage holder, stated that Chase Manhattan holds the mortgage to this property. The property owner, Mr. Alphonse J. Daniels filed for bankruptcy and nothing can be done until this situation is resolved. There was a check issued to Chase Manhattan, but since the owner's name was also included on the check they need his consent and the bankruptcy order has jurisdiction over all of Mr. Daniels affairs.

Upon much discussion, Mr. Childs requested a motion. A motion was made by Mr. Williams to uphold the Building Official's recommendation to demolish the structure within thirty (30) days.

Motion seconded by Mr. Vera.

Motion passed unanimously.

There being no further business, the meeting was adjourned at 2:30 P.M.

Prepared by: _____

Recording Secretary Chairman

Date: _____

UNSAFE STRUCTURES BOARD MINUTES OF JUNE 16, 1999

Members Present: Harry Childs, Chairman Walter Williams Jose Vera

Orange Hayes Patricia Birch

Laurence Michelson

Staff: Theodore Berman, Clerk of the Board

Bruce Libhaber, Asst. County Attorney

Yvonne Bell, Recording Secretary

Court Reporter: Lisa Gilmore, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:35 P.M. on Wednesday, June 16, 1999, on the 16th Floor Conference Room of the Metro-Dade Flagler Building at 140 W. Flagler Street, Suite #1605, Miami-Dade, Florida 33130.

Mr. Childs then requested a motion to approve and accept the minutes of the May 19, 1999 Unsafe Structures Board Meeting. A motion was made by Mr. Hayes and seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman announced the following City of Miami case **withdrawn for compliance:**

City of Miami Case:

M99-047 2954 N.W. 14 Avenue

Mr. Berman then announced the following Miami-Dade County, City of Miami and City of Coral Gables cases where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC98-315U 18021 N.W. 5 Avenue

DC98-413U 14451 S.W. 300 Street

DC98-572UT 15420 Hayes Lane

DC98-730U 630 N.E. 165 Street

DC98-955U 10260 S.W. 170 Terrace

DC99-207U 3565 S.W. 132 Avenue

City of Miami Cases:

M99-050 1237 N.W. 68 Street

City of Coral Gables:

CG99-01 4001 Santa Maria Street

Mr. Berman announced the following Miami-Dade County and City of Miami cases that were **uncontested/no show**:

Miami-Dade County Cases:

DC97-940U 3863 N.W. 207 Street Road

DC98-763U 16300 S.W. 157 Avenue

DC98-801U 16201 North Miami Avenue

DC98-907U 7816 N.W. 17 Place

DC98-933U 743 N.W. 115 Street

DC98-937U 18730 N.W. 11 Place

DC99-86U 18034 S.W. 143 Place

DC99-89U 181290 S.W. 132 Avenue

City of Miami Cases:

M99-046 130 N.E. 66 Street A/K/A 6511 N.E. 1 Court

M99-048 501 N.E. 65 Street

M99-049 540 N.E. 63 Street

M99-051 573 N.E. 69 Street

M99-052 5820 N.W. 13 Avenue

M99-053 8211 N.E. Miami Court

M99-054 1541 N.W. 65 Street

M99-055 1320 N.W. 71 Street

M99-056 1265 N.W. 70 Street

The cases and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mr. Childs requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mr. Michelson and seconded by Mr. Williams.

Motion passed unanimously.

Mr. Childs informed those appellants who were able to come to an amicable agreement with the Building

Official their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants being heard by the Unsafe Structures Board were sworn in at 2:00 P.M. by the court reporter.

Mr. Berman then called forth the first case to be heard from Miami-Dade County where the **property owner** disagreed with the Building Official's recommendation to demolish the structure:

DC98-837U Christopher Johnson, 1349 N.W. 75 Terrace

Deputy Building Official Antonio Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

The property owner, Mr. Christopher Johnson, stated that he has been the owner of the property since 1986. The house had a fire in 1992 and severely damaged one of the rooms. During this time, he was injured and this slowed down the progress of finishing the repairs to the structure. Mr. Johnson asks the Board for a 30-day continuance to get things together. The house is presently secured and boarded.

After much discussion, Mr. Childs requested a motion. A motion was made by Mr. Williams to

"Defer this case for sixty (60) days. At this time the appellant shall present certified information by an architect or engineer to support his claim that the Building Official was in error in estimating the house to be more than 50% damaged." Motion seconded by Mr. Michelson.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 2:15 P.M.

Prepared by: _____

Recording Secretary Chairman

Date: _____

UNSAFE STRUCTURES BOARD MINUTES OF JULY 21, 1999

Members Present: Harry Childs, Chairman Walter Williams Jose Vera

Orange Hayes Patricia Birch Kathy Babl-Loy

Laurence Michelson Gordon Loader

Staff: Theodore Berman, Clerk of the Board

Augusto Maxwell, Asst. County Attorney

Yvonne Bell, Recording Secretary

Court Reporter: John A. Guc, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:17 P.M. on Wednesday, July 21, 1999, on the 16th Floor, Conference Room #1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Childs then requested a motion to approve and accept the minutes of the June 16, 1999 Unsafe Structures Board Meeting. A motion was made by Mr. Michelson and seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman informed the Board that the following Miami-Dade County cases were **deferred** until next month.

Miami-Dade County Cases:

DC99-415U Appx. 12840 N.W. 13 Street

DC99-417U Appx. 12865 N.W. 13 Street

Mr. Berman also announced to the Board that the City of Miami Beach has **deferred** their case until further notice:

City of Miami Beach Case:

MB99-003 1769 Lenox Avenue

Mr. Berman then announced the following Miami-Dade County and City of Miami cases where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC98-475U 2145 N.W. 154 Street

DC98-530U 19811 Dothan Road

DC98-698UT 9100 N.W. 17 Avenue

DC99-317UT 1784 N.W. 63 Street

DC99-337U 20625 N.W. 24 Avenue

Mr. Berman announced the following Miami-Dade County, City of Miami and City of North Miami Beach cases that were **uncontested/no show**:

Miami-Dade County Cases:

DC98-201U 20928 N.W. 39 Avenue

DC98-327U 10350 S.W. 200 Street

DC98-754UT 1031-33 N.W. 108 Terrace

DC98-856U 2050 N.W. 68 Terrace

DC99-315UT 1998 N.W. 50 Street

City of Miami Cases:

M99-057 1436 N.W. 51 Terrace

M99-059 3933 Washington Avenue

M99-061 5933 N.W. 5 Court

City of North Miami Beach Cases:

NMB99-03 17401 N.E. 19 Avenue

NMB99-04 1929 N.E. 174 Street

The cases and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mr. Childs requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mr. Loader and seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants being heard by the Unsafe Structures Board were sworn in at 1:34 P.M. by the court reporter.

Mr. Berman then called forth the first case to be heard from the City of Miami where the **property owner** disagreed with the Building Official's recommendation to repair or demolish the structure:

M99-058 Eddie Lee Williams &/W Veola, 1457 N.W. 42 Street

Deputy Building Official Bert Mijares introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Mijares gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible."

Property owner, Mrs. Veola Williams, commented that she lost her husband in September of 1998 and they lived together in this house for 30 years. She received a HUD Loan to repair the structure, but every contractor she hired wasn't properly repairing the house. She has \$14,000 left on the loan, and needs time to get things together with the help of her daughters. Mrs. Veola informed the Board that she has tried her best to keep the structure secured.

Interested Party, James Jackson, who lives next door to the property, stated that there has been nothing done to the house. Mr. Jackson informed the Board that the structure has attracted prostitutes and children who go in and out of the house. The second floor is rotted and the roof is caving in leaving this structure a hazard. Mr. Jackson stated that he doesn't have a problem with Mrs. Williams getting time to repair the structure, as long as it is properly repaired.

After much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Loy to "Defer this case until the September 15, 1999 Unsafe Structures Board Hearing. At this time, property owner shall update the Unsafe Structures Board as to what should be done to the structure. Said structure shall be secured within five (5) working days. The following securing method is approved: storm shutters (1/2" plywood, bolts and lumber as per specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti". Motion seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the second case to be heard from the City of Miami where the **property owner** disagreed with the Building Official's recommendation to demolish the structure:

M99-060 Achille R. Vigille &/W Pamela Perpetua, 5538 N.W. 5 Avenue

Deputy Building Official Bert Mijares introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Mijares gave an account of the status of the rear frame addition and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible."

Attorney for the property owner's, Michael Blynn, stated that his client had purchased the structure over a year ago and knew nothing about the violations until last week when he went to check on the property.

Property owner, Achille Vigille, informed the Board that the City requested that he get a new set of plans and this process held up the repairs to the structure. Mr. Vigille stated that he can have the structure fully habitable within 3 to 4 months. The house is currently secured and he has no problem getting an Engineer and an Architect to evaluate the repairs.

Mr. Childs closed the floor for discussion and requested a motion. A motion was made by Mrs. Loy that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible." Motion was seconded by Mr. Michelson.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called forth the third case to be heard from Miami-Dade County where the **attorney for the property owner** disagreed with the Building Official's recommendation to complete the structure within 150 days:

DC99-274U Barrett Properties, Inc., 28400 S. Dixie Hwy.

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred fifty (150) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by Miami-Dade County as soon as possible."

Attorney for the property owner, Teddy Montoto, stated that there is confusion on the application. A court order was given for Mr. Barrett to pull permits, nonetheless when he tried to pull repair permits the Permitting Section informed him that there is an Unsafe Structure hold. The building is a large warehouse and the owner plans to supply tools to companies. Mr. Montoto informed the Board that Mr. Barrett needs a special bar joist for the roof, but the waiting period is 5 to 6 months. He is now looking at out of state manufacturers to speed up the process.

Upon much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Loy "that the completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within three hundred (300) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by Miami-Dade County as soon as possible." Motion seconded by Mr. Loader.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fourth case to be heard from Miami-Dade County where the **interested party** wished to speak to the Board in regards to the structure:

DC98-581U Secretary of H.U.D., 12110 N.W. 19 Avenue

Deputy Building Official Antonio Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within sixty (60) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible."

Mr. Rafael Orelle, Jr., who has an interest in the property, stated that he should own the property as soon as the title work is completed within the next 2 weeks. He has a copy of the contract and needs 45 days to obtain the permit and 60 days to complete the repairs

After much discussion, Mr. Childs requested a motion from the Board. A motion was made by Mrs. Loy to uphold the Building Official's recommendation with the following amendment:

A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building

permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today.

Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fifth case to be presented by Miami-Dade County where an **interested party** wished to speak on behalf of the structure:

DC97-1030UT Miami-Dade Housing Agency, 3916 N.W. 207 Street Road

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within sixty (60) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible."

Jack Arias, stated to the Board that he owns the townhouse adjacent to the structure in question and if it is demolished the owner's on the side will have to pay \$5,000 to repair their wall. Mr. Arias informed the Board that he wants to see Vista Verde habitable because there are 200 families that will be impacted by the decision rendered today.

After much discussion, Mr. Childs requested a motion from the Board. A motion was made by Mr. Loader to "Defer this case until the August 18, 1999 Unsafe Structures Board Hearing, at this time, the property owner must be present. Said structure shall be secured within five (5) working days. The following securing method is approved: storm shutters (1/2" plywood, bolts and lumber as per specs).

The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Motion seconded by Mr. Michelson.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called forth the last case to be presented by Miami-Dade County where **the owner and attorney** wished to speak on behalf of the structure:

DC98-578U Cesar E. Balbin, 9901 S.W. 32 Street

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal gave an account of the structure and informed the Board that while conducting an inspection prior to the Board another structure was located and he recommends that "said structures be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible."

Attorney for the owner, John Hernandez, commented that his client wants to sell the property, but needs additional time to do so. There is an insurance case pending in the court and there are three lenders interested in the property.

Mr. Childs closed the floor for discussion and requested a motion. A motion was made by Mr. Williams to uphold the Building Official's recommendation to demolish the structure. Motion seconded by Mr. Vera.

Mr. Childs then requested a roll call vote to uphold Mr. Williams' motion to demolish.

Harry Childs **yes** Kathy Babl-Loy **no**

Patricia Birch **no** Orange Hayes **yes**

Gordon Loader **yes** Larry Michelson **yes**

Jose Vera **yes** Walter Williams **yes**

Motion carried. 6 to 2.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 3:55 P.M.

Prepared by: _____

Recording Secretary Chairman

Date: _____

UNSAFE STRUCTURES BOARD MINUTES OF AUGUST 18, 1999

Members Present: Harry Childs, Chairman Walter Williams Jose Vera
Orange Hayes Laurence Michelson Kathy Babl-Loy

Staff: Theodore Berman, Clerk of the Board
John McInnis, Asst. County Attorney
Yvonne Bell, Recording Secretary

Court Reporter: Herb Kroll, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:15 P.M. on Wednesday, August 18, 1999, on the 9th Floor, Conference Room 908, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Childs then requested a motion to approve and accept the minutes of the July 21, 1999 Unsafe Structures Board Meeting. A motion was made by Mr. Michelson and seconded by Mrs. Loy.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman announced the following case **withdrawn** by the City of Miami:

M99-070 1337 N.W. 60 Street

Mr. Berman then announced the following Miami-Dade County and the City of Miami cases where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC98-587UT	1818 N.W. 91 Street
DC99-304U	1408 N.W. 99 Street
DC99-415U	Appx. 12840 N.W. 13 Street
DC99-417U	Appx. 12865 N.W. 13 Street

City of Miami Cases:

M99-062	20 N.E. 67 Street
M99-071	1400 N.W. 71 Street
M99-073	7736 N.W. 2 Avenue

Mr. Berman announced the following Miami-Dade County and City of Miami cases that were **uncontested/no show**:

Miami-Dade County Cases:

DC98-377UT	3033 N.W. 43 Terrace
DC98-820UT	20342 N.W. 43 Court
DC98-846U	1839-41 N.W. 74 Street
DC99-19U	12349 S.W. 216 Street
DC99-109U	750 N.E. 155 Terrace
DC99-341UT	1170 N.W. 79 Street
DC99-345U	14362 S.W. 180 Terrace
DC99-346U	14371 S.W. 180 Terrace
DC99-578U	19200 S.W. 127 Avenue

City of Miami Cases:

M99-063	98 N.W. 52 Street
M99-064	659 N.W. 47 Street
M99-065	1075 N.W. 47 Street
M99-066	1136 N.W. 47 Street
M99-067	1220 N.W. 34 Street
M99-068	1268 N.W. 39 Street
M99-069	1286 N.W. 59 Street
M99-072	7742 N.W. 2 Avenue

The cases and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mr. Childs requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mrs. Loy and seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants being heard by the Unsafe Structures Board were sworn in at 1:45 P.M. by the court reporter.

Mr. Berman then called forth the first case to be heard from the City of South Miami where the **representative of the estate and heir of the property** wished to speak in regards to the structure:

City of South Miami:

SM99-01

6039 S.W. 63 Terrace

Mrs. Sonia Lama, Building Official for the City of South Miami, informed the Board that she has met with the personal representatives of the estate of the deceased and will allow a 45-day continuance as long as the conditions of the agreement are being met.

Eric Hospedales, Personal Representative for James Woodard, stated that the continuance will allow them time to resolve the probate issue and then seek a new owner of the property.

Mrs. Betty Woodard Burroughs, commented that she is one of the heirs to the property and wants to see the house secured and maintained. Mrs. Burroughs informed the Board that there is drug activity and she will do her best to keep them off the property.

After much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Loy to accept the agreement presented to them by Mrs. Lama. Motion seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called forth the last case to be heard by Miami-Dade County where the **adjacent owner and a representative for Miami-Dade Housing Agency** wished to speak:

Miami-Dade County:

DC97-1030UT

3916 N.W. 207 Street Road

Deputy Building Official Antonio Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mr. H. Patrick Brown, with the Miami-Dade Housing Agency, submitted a copy of the funding grant to the Board and commented that there are about 5,000 units in Vista Verde awaiting federal approval. Mr. Brown added that the first priority for repairs to structures is roof damage. Vista Verde and other areas have been given 1.5 million dollars but it has to first go through procurement. Furthermore, Mr. Brown stated that the property is secured and the funds are available but will need one year to clear the zoning issue.

Mr. Ricardo Roig, Code Administrator for the Unsafe Structures Unit, enlightened the Board that this property has been in the same condition for many years and something must be done. Mr. Roig stated that he wants to be assured that the decision made today will be carried out by the owner. Mr. Roig has no problem giving them time repair and in addition commented that if a demolish order is administered the owner's located on the ends will have to pay for the cutting of the interior walls into exterior walls.

Interested party, Jack Arias explained to the Board that the adjacent homeowner's can not afford to fix the repairs to the structure. He also informed the Board that he filed liens against HUD and has a fee simple ownership to the property. The building is totally secured and if it is torn down the County will only be creating more unsafe structures.

Board member, Walter Williams commented that the decisions rendered by the Board are to the property and not the owner.

After much discussion, Mr. Childs requested a motion. A motion was made by Mr. Williams that "said structure must be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within forty-five (45) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible." Motion seconded by Mr. Vera."

Mr. Childs requested a roll call vote.

(Motion failed, tied 3 to 3.)

(For a verbatim version, please refer to the transcripts)

Mr. Childs opened the floor for more discussion. Mrs. Loy administered another motion to uphold the Building Official's recommendation to repair with the following amendments: 180 days to pull permits and 360 days to complete the repairs. Motion wasn't seconded.

Upon much discussion, Mr. Childs then closed the floor and requested another motion. Mr. Williams made a motion that "said structure shall be repaired or demolished within forty-five (45) days from today. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible." Motion seconded by Mr. Vera.

Mr. Childs asked for another roll call vote. Mr. Berman announced the names accordingly:

Babl-Loy	-	No	Childs	-	No
Hayes	-	Yes	Michelson	-	Yes
Vera	-	Yes	Williams	-	Yes

Motion passed 4 to 2.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 2:45 P.M.

Prepared by: _____
Recording Secretary

Chairman

Date: _____

UNSAFE STRUCTURES BOARD MINUTES OF SEPTEMBER 15, 1999

Members Present: Harry Childs, Chairman Patricia Birch Jose Vera
Orange Hayes Laurence Michelson
Gordon Loader Kathy Babl-Loy

Staff: Theodore Berman, Clerk of the Board
Augusto Maxwell, Asst. County Attorney
Yvonne Bell, Recording Secretary

Court Reporter: Isabelle Seralnick, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:15 P.M. on Wednesday, September 15, 1999, on the 9th Floor, Conference Room 908, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Childs then requested a motion to approve and accept the minutes of the August 18, 1999 Unsafe Structures Board Meeting. A motion was made by Mrs. Loy and seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman then announced the following Miami-Dade County and the City of Miami cases where **agreements** had been made with the Building Official:

Miami-Dade County Case:

DC99-295U 1501 N.W. 79 Street

City of Miami Case:

M99-082 3370 Thomas Avenue

Mr. Berman announced the following Miami-Dade County and City of Miami cases that were **uncontested/no show**:

Miami-Dade County Cases:

DC98-393U 8135 S.W. 26 Street
DC98-478U 4111 N.W. 171 Street
DC99-14UT 20021 Eagle Nest Road

City of Miami Cases:

M99-074	179 N.W. 59 Street
M99-075	1230 N.W. 58 Terrace
M99-076	1268 N.W. 69 Street
M99-077	1535 N.W. 58 Terrace
M99-078	1630 N.W. 58 Terrace
M99-079	1691 N.W. 58 Terrace
M99-080	1700 N.W. 58 Street
M99-081	6330 N.E. 1 Place

The cases and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mr. Childs requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mr. Loader and seconded by Mrs. Loy.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants being heard by the Unsafe Structures Board were sworn in at 1:35 P.M. by the court reporter.

Mr. Berman then called forth the first case to be heard from Miami-Dade County where the **property owner** wished to speak in regards to the structure:

Miami-Dade County:

DC98-837U	1349 N.W. 75 Terrace
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Deputy Building Official Tony Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Property owner, Christopher Johnson stated that at the hearing of June 16, 1999 the Board requested that he obtain a Structural Engineer or an Architect. Mr. Johnson presented to the Board a Structural Inspection Report outlining the Structural Engineers' assessment on the building as having no more than 25% worth of damage and he feels that the structural integrity can be restored by using detailed plans, permitting and reconstructing items. Mr. Johnson also informed the Board that he has been in contact with the neighborhood watch program and there has been a great effort to keep the property secure.

After much discussion, Mr. Childs requested a motion. A motion was made by Mr. Michelson to defer this case to the October 20, 1999 Unsafe Structures Board Hearing and a designed professional must be obtained to advise the Board of the feasibility of repairing the structure to the applicable code. Motion seconded by Mrs. Loy.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called forth the last case to be heard by Miami-Dade County where the **property owner and representative of the owner** wished to speak:

Miami-Dade County:

DC99-281U

6970 N.W. 17 Avenue

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structure recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

A representative for the owner, Mr. Jorge Villa commented to the Board that because the front wall of structure (B) is in the setback, this case needs to first go to Zoning Hearings, which will take about 5 to 6 months. They would like to remodel the existing building and demolish structure (A) which is the convenience store, automotive shop and laundry mat. Mr. Villa is asking for 10 months to finish the project and he has no problem cement blocking the entrances until the repairs are completed.

After much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Birch that "said structure be secured within ten (10) working days. The following securing method is approved: concrete block. The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible." Motion seconded by Mr. Michelson.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 2:45 P.M.

Prepared by: _____
Recording Secretary

Chairman

Date: _____

UNSAFE STRUCTURES BOARD MINUTES OF OCTOBER 20, 1999

Members Present: Patricia Birch Jose Vera Orange Hayes
Gordon Loader Walter Williams

Excused: Harry Childs, Chairman Kathy Babl-Loy Laurence Michelson

Staff: Theodore Berman, Clerk of the Board
Bruce Libhaber, Asst. County Attorney
Yvonne Bell, Recording Secretary

Court Reporter: Herb Kroll, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:30 P.M. on Wednesday, October 20, 1999, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mrs. Birch then requested a motion to approve and accept the minutes of the September 15, 1999 Unsafe Structures Board Meeting. A motion was made by Mr. Loader and seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mrs. Birch asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman announced the following City of Miami case **withdrawn**:

City of Miami Case:

M99-091 6809 N.W. 6 Court

Mr. Berman then announced the following City of Miami Beach case **deferred** until further notice:

City of Miami Beach Case:

MB991184 3040 Prairie Avenue

Mr. Berman then announced the following Miami-Dade County and City of Miami cases where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC98-403U 27001 S.W. 142 Court
DC98-777UT 15131 Polk Street
DC99-26U 20421 N.W. 26 Court

DC99-347U	3145 S.W. 65 Avenue
DC99-476U	11897 N.W. 12 Street
DC199900690U	12721 Wood Street

City of Miami Case:

M99-087	452 N.E. 30 Street
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Mr. Berman announced the following Miami-Dade County and City of Miami cases that were **uncontested/no show**:

Miami-Dade County Cases:

DC98-648U	6975 N.W. 18 Avenue
DC98-768U	21815 S.W. 112 Court
DC99-1U	9961 S.W. 213 Street
DC99-5U	20017 S.W. 123 Drive
DC99-52U	11835 S.W. 214 Street A/K/A 11835-37 S.W. 214 Street
DC99-61U	14000 S.W. 16 Street
DC99-70U	1500 N.W. 73 Street
DC99-85	18103 S.W. 143 Place
DC99-303U	2325 N.W. 96 Street
DC99-327U	10951 S.W. 65 Street
DC99-335U	10530 S.W. 178 Street
DC199900727U	1935 N.W. 192 Terrace

City of Miami Cases:

M99-083	148 N.E. 64 Street A/K/A 6335 N.E. 1 Place
M99-084	240 N.W. 11 Street
M99-085	265 N.W. 59 Street
M99-086	325 N.E. 55 Terrace
M99-088	1421 N.W. 1 Court
M99-089	1542 N.W. 47 Street
M99-090	4700 N.W. 15 Court
M99-092	7632 N.E. 3 Place
M99-093	7718 N.E. 1 Place

The cases and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mrs. Birch requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mr. Williams and seconded by Mr. Hayes.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mrs. Birch informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants being heard by the Unsafe Structures Board were sworn in at 2:00 P.M. by the court reporter.

Mr. Berman then called forth the first case to be heard from Miami-Dade County where the **executive director** wished to speak in regards to the structure:

Miami-Dade County:

DC99-313UT 1271 N.W. 72 Street

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structure and recommended that “said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.”

Mrs. Georgia Ayers, Executive Director of the Alternative Program, stated that this house was being utilized for at risk girls and she has received numerous funds for rehabilitation of the property. Mrs. Ayers informed the Board that the building originally had 11 bedrooms, but was told by the Building Department that she could only have five. Mrs. Ayers commented that she needs six months to repair the structure and intends to apply for a Zoning Variance, but needs one additional signature.

After much discussion, Mrs. Birch requested a motion. A motion was made by Mr. Loader that case be deferred up to six (6) months until the Variance Hearing is completed. Said structure shall be secured within five (5) days. The following securing method is approved: storm shutters (1/2" plywood, bolts and lumber as per specs) and concrete block. The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass and free of discoloration or graffiti. Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called forth the second case to be heard by Miami-Dade County where the **property owner** wished to speak:

Miami-Dade County:

DC99-431U 22180 S.W. 122 Avenue

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2" plywood, bolts and lumber as per specs). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within sixty (60) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Property owner, Mrs. Lydia Walker informed the Board that the property was leased to three people to shelter the homeless and drug addicts. The rent wasn't being paid and she had to evict all of them. Mrs. Walker stated that she is on a fixed income and needs more than five days to secure the building and an additional six months to rehab the property for selling purposes.

After much discussion, Mrs. Birch requested a motion. A motion was made by Mr. Loader that "said structure be secured by November 4th, 1999. The following securing method is approved: storm shutters (1/2" plywood, bolts and lumber as per specs). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible." Motion seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the third case to be heard by Miami-Dade County where the **wife of the property owner** wished to speak:

Miami-Dade County:

DC99-424U

12800 N.W. 13 Street

Deputy Building Official Antonio Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that “said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.”

Mrs. Dulce Cardentey, commented that she has no problem demolishing the structure, but will need an additional six months to do so, since the recent storm of Hurricane Floyd there is tremendous water damage and the area is flooded.

After much discussion, Mrs. Birch requested a motion. A motion was made by Mr. Hayes that “said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within ninety (90) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.” Motion seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fourth case to be presented by the City of Miami where the **property owner** wished to speak:

City of Miami:

M99-058

12800 N.W. 13 Street

Deputy Building Official Cedric Mar introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Mar gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami as soon as possible.”

Mrs. Veola Williams, property owner, commented that there has been some securing to the structure. The doors are volt and the condition of the home is not what is presented to the Board. Mrs. Williams closed with stating she needs additional time to sue the City of Miami.

After much discussion, Mrs. Birch requested a motion. A motion was made by Mr. Williams to uphold the Building Official's recommendation with the following amendments:

- (A) Structure shall be secured within ten working days
- (B) Permits shall be obtained within one hundred twenty days
- (C) Structure shall be completed within one hundred eighty days

Motion seconded by Mr. Hayes.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fifth case to be presented by Miami-Dade County where the **property owner** wished to speak:

Miami-Dade County:

DC99-407U

3295 N.W. 29 Street

Deputy Building Official Antonio Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: concrete block and fencing on the north side of the building. The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within sixty (60) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

The owner, Mr. Jose Flores, commented that the property had a fire in 1996 and a stress test was administered concluding the structure can be repaired. Mr. Flores informed the Board that he would need 60 days to get the plans approved, because the structure has been sold and the new owners plan to rebuild.

Upon much discussion, Mrs. Birch requested a motion. A motion was made by Mr. Loader that "said structure be secured within five (5) working days. The following securing method is approved: concrete block and fencing on the north side of the building. The structure(s) are to be

maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today and remain unoccupied until repairs are completed. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.” Motion seconded by Mr. Vera

Mrs. Birch then requested a roll call vote:

Patricia Birch	-	Yes
Orange Hayes	-	Yes
Gordon Loader	-	Yes
Jose Vera	-	Yes
Walter Williams	-	No

Motion passed 4 to 1.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called forth sixth case to be presented by Miami-Dade County where the **property owner** wished to speak:

Miami-Dade County:

DC99-420U

10905 S.W. 165 Terrace

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal gave an account of structure (A) and recommended that "said structure be secured within five (5) working days. The following securing method is approved: concrete block and fencing on the north side of the building. The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within sixty (60) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.”

Mr. Villareal then proceeded to read the recommendation for structure (B) that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within ninety (90) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mr. Raul Gonzalez, introduced himself to the Board and commented that the structure is under foreclosure proceedings and would need time to repair the structure to put it back on the market. They intend to bring structure (B) up to code also.

Upon much discussion, Mrs. Birch requested a motion. A motion was made by Mr. Loader that "said structures be secured within five (5) working days. The following securing method is approved: storm shutters (1/2" plywood, bolts and lumber as per specs). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Laboratory Tests, Engineer's Certification and Architect/Engineer's sealed plans. The Engineer's Certification must be submitted within sixty (60) days from today. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible." Motion seconded by Mr. Williams.

Upon the motion, Board Member Orange Hayes informed the Board that he had to leave due to a scheduled doctors appointment.

Since three cases still needed to be heard, Mr. Williams made a motion to place the remaining cases on next month's agenda. Motion seconded by Mr. Vera.

Mrs. Birch then requested a roll call vote by Mr. Berman to decide whether to hear the cases without quorum.

Patricia Birch	-	No
Gordon Loader	-	Yes
Jose Vera	-	No
Walter Williams	-	No

Motion passed 3 to 1.

(For a verbatim version, please refer to the transcripts)

Therefore, the Vice-Chairperson, Patricia Birch, apologized to the remaining three appellants and informed them that their cases would have to be heard at the November 17, 1999 Unsafe Structures Board Hearing due to the loss of quorum.

There being no further business, the meeting was adjourned at 4:00 P.M.

Prepared by: _____
Recording Secretary

Chairman

Date: _____

UNSAFE STRUCTURES BOARD MINUTES OF NOVEMBER 17, 1999

Members Present: Harry Childs, Chairman Patricia Birch Kathy Babl-Loy
Orange Hayes Gordon Loader Walter Williams
Jose Vera

Excused: Laurence Michelson

Staff: Herminio Gonzalez for Theodore Berman, Clerk of the Board
Augusto Maxwell, Asst. County Attorney
Nelly Nieves for Yvonne Bell, Recording Secretary

Court Reporter: Melanie Stinson, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:35 P.M. on Wednesday, November 17, 1999, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Childs then requested a motion to approve and accept the minutes of the October 20, 1999 Unsafe Structures Board Meeting. A motion was made by Mr. Loader and seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Gonzalez then announced the following Miami-Dade County and City of Miami cases where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC99-142U	2743 N.W. 60 Street
DC99-289U	15801 N.W. 28 Place
DC99-297U	1791 N.W. 155 Street
DC199900004U	12891 N.W. 13 Street

City of Miami Cases:

M99-094	625 N.E. 22 Street
M99-095	701 N.E. 22 Street
M99-096	1426 N.W. 30 Street
M99-097	3611 Stewart Avenue
M99-100	6734 N.W. 4 Avenue
M99-102	434 N.E. 23 Street
M99-103	1420 N.W. 52 Street
M99-104	1883 N.W. 22 Avenue

Mr. Gonzalez announced the following Miami-Dade County and City of Miami cases that were **uncontested/no show**:

Miami-Dade County Cases:

DC97-1111U	19209 N.W. 45 Avenue
DC98-887U	1137 N.W. 102 Street
DC99-117U	5822 N.W. 30 Avenue
DC99-287U	15751 N.W. 28 Court
DC99-291U	2491 N.W. 56 Street
DC99-301U	3130 N.W. 79 Street
DC99-430U	18301 S.W. 102 Avenue
DC99-464U	20151-53 S.W. 89 Avenue
DC99-471U	12015 N.W. 12 Street
DC99-561U	4411 N.W. 13 Street
DC199900664U	18259 N.W. 61 Court

City of Miami Cases:

M99-098	5575 N.W. 17 Avenue
M99-099	6728 N.W. 4 Avenue
M99-101	6750-52 N.W. 3 Avenue

The cases and photographs were submitted to the Board for review as called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Childs requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mrs. Loy and seconded by Mr. Hayes.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants being heard by the Unsafe Structures Board were sworn in by the court reporter.

Mr. Gonzalez then called forth the first case to be presented by the City of Miami Springs where the **owner of the property** wished to speak in regards to the structure:

City of Miami Springs:

MS99-01	749 Hunting Lodge Drive
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Deputy Building Official Michael Sprovero introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Sprovero gave an account of the structure and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today

from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami Springs as soon as possible.”

Mrs. Maria Davis, Director of Public Works for the City of Miami Springs, stated that because the grass and debris was so out of hand she sent a crew of six workers to clean the yard.

Mr. Ed Barton, who lives next door, commented that he could not go outside because of the smell coming from the house. He further informed the Board that there are snakes and animals around the property.

Mr. Greg Orisi, Code Enforcement Officer for the City of Miami Springs, commented that they only want to keep the area presentable to the public.

Property Owner, Charles Meigs informed the Board that he is a retired Airforce Colonel and has owned the house for 26 years. He stated that the City is confusing collector items with junk and trash. The number one thing to target on his list is to have the house exterminated. Mr. Meigs added he needs additional time to repair the structure since he doesn't have the funds to hire professional help he would have to do the repairs himself.

After much discussion, Mr. Childs requested a motion. A motion was made by Mr. Loader that “The structure must be repaired. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within forty-five (45) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami Springs as soon as possible.” Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case to be heard presented by Miami-Dade County where one of the **property owners** wished to speak:

Miami-Dade County:

DC199900977U

19741 N.W. 2 Place

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structure and recommended that “said structure (B) be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.”

Mrs. Orle Murray, one of the property owners for this structure, commented that this property was brought out of foreclosure and the violations at that time were not disclosed. Mrs. Murray informed the Board that a roofing contractor was hired to replace the roof in the front and the back, but he only pulled a permit for the front roof causing the violation for the back structure. Mrs. Murray furthermore, explained to the Board that they have since filed under the Amnesty Ordinance and would like time to bring the property up to Code.

After much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Birch that "said structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible." Motion seconded by Mr. Loader.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the third case to be heard also presented by Miami-Dade County where the **property owner** wished to speak:

Miami-Dade County:

DC99-404U

2478 N.W. 55 Street

Deputy Building Official Antonio Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Property owner, Mr. Otis Boston, informed the Board that he is just the second owner of the structure since 1929. He added that at the time of purchasing the property there was alot of drug and prostitution activity in the area. Mr. Boston explained to the Board that he needs at least one year to fully rehabilitate the structure.

After some discussion, Mr. Childs then requested a motion. A motion was made by Mr. Loader that "said structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items

to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred forty-five (45) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within two hundred seventy (270) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.” Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the fourth case to be presented by Miami-Dade County where the **property owner** wished to speak:

Miami-Dade County:

DC99-114U

5900 N.W. 23 Avenue

Deputy Building Official Tony Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that “said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.”

The owner, who was present earlier, was not available to at the time the case was called, Due to the absence of the owner, the Board motioned to defer the case until the December 15, 1999 Unsafe Structures Board hearing.

Mr. Gonzalez then proceeded to called the fifth case to be presented by Miami-Dade County where the **property owner** wished to speak:

Miami-Dade County:

DC199900758U

1991 N.W. 56 Street

Deputy Building Official Antonio Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The

permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred fifty (150) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred fifty (150) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.” Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Property owner, Mr. Ronald Donaldson stated that he was never properly notified of the violation on the property. He informed the Board that the last tenant moved and the residents behind his property started stealing things from the house. Mr. Donaldson commented that he has contacted the insurance company to receive money for the repairs to the structure and until this is resolved he is asking the Board to give him 150 days for permits and 150 days to repair the property.

After some discussion, Mr. Childs requested a motion. A motion was made by Mrs. Loy to uphold the Building Official’s recommendation to repair the structure. Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the sixth case to be presented by Miami-Dade County where the **representative for the property** wished to speak:

Miami-Dade County:

DC199900659U

Larchmont Gardens – Buildings 1 – 48

Mr. Ricardo Roig, with the Building Department Unsafe Structures Unit, informed the Board that this structure has not obtained its 40-year recertification. Mr. Roig stated that it is his understanding that a 30-day continuance will be requested. He informed the Board that the Building Department is willing to grant the continuance only if legal issues are addressed and not the removal of the Notice of Violation.

Mr. Jacon Dorn, Real Estate Officer for GSA, stated that the continuance is needed to negotiate with the Building Department in regards to Larchmont Gardens.

After some discussion, Mr. Childs requested a motion. A motion to grant a 30-day continuance of this case was made by Mr. Williams. Motion seconded by Mrs. Birch.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the seventh case to be presented by Miami-Dade County where the **representative for the property** wished to speak:

Miami-Dade County:

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structure and recommended that "said structures (A), (B) (C) and (D) be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible."

Mr. Jacon Dorn, Real Estate Officer for GSA, advised the Board the County inherited this property in 1998 due to unpaid taxes. His office was ordered on Oct. 5, 1999 by the Board of County Commissioners to sell the property as is, but bid processing will take some time. Mr. Dorn offered a time-table to the Board consisting of: permits to be pulled on 07/21/00, work commences on 08/30/00 and work completed by 02/28/01.

Upon much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Birch that "said structures (A), (B) and (D) be secured within five (5) working days. The following securing method is approved: fencing. The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor pursuant to Section 10-5 (2) of the Miami-Dade County Code by July 30, 2000. The completion or repair of said structures shall conform to the latest South Florida Building Code and shall commence by October 30, 2000 and completed by February 28, 2001. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible."

Mrs. Birch went on to read the recommendation for structure (C) announcing that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible." These motions were seconded by Mr. Loader.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the eighth case to be presented by Miami-Dade County where the **property owner** wished to speak:

Miami-Dade County:

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structures and informed the Board that structure (A) has no violation, but structures (B) and (C) are to be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible.”

The property owner, Nasir Mahmood, commented that he and the general contractor have prepared a plan for the building. He also would like to have the Notice of Violation removed so he can refinance his loan and show that he is working to rehabilitate the structure.

Upon much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Loy that "said structures be secured within five (5) working days. The following securing method is approved: storm shutters (1/2" plywood, bolts and lumber as per specs). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.” Motion seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the ninth case to be presented by Miami-Dade County where **the property** wished to speak:

Miami-Dade County:

DC98-582U

914 N.W. 80 Street

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structure and recommended that “said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.”

Attorney for the owner, D.S. Airan, informed the Board that he is not properly prepared to present his case because he wasn't notified of the hearing until yesterday. Mr. Airan stated that the 90% deterioration quoted by the inspector is not correct since his architect received a much lower percentage. He is requesting of the Board to give him 45 days to pull the permits, 180 days to validate the repairs and the County can administer the testing to see if the structure meets the Code.

After much discussion, A motion was made by Mrs. Birch to defer this case for thirty (30) days until the attorney can provide proper testimony to substantiate his case. Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the last case to be presented by Miami-Dade County where **the property** wished to speak:

Miami-Dade County:

DC98-837U

1349 N.W. 75 Terrace

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal gave an account of the structure and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mr. Sunday Enorgieru, the general contractor for the property, stated that in his estimate the structure is only 25% damaged. He added that the building is repairable and is asking for a reasonable amount of time to submit plans to make this building presentable in the community.

Property owner, Christopher Johnson, commented that he wants to repair the house and live in it. Mr. Johnson informed the Board that he would need 90 days to pull permits and 180 days to repair the house.

Upon much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Birch that "said structures be secured within five (5) working days. The following securing method is approved: storm shutters (1/2" plywood, bolts and lumber as per specs). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred eighty (180) days after obtaining the permit.

Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.” Motion seconded by Mr. Loy.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 5:15 P.M.

Prepared by: _____

Recording Secretary

Chairman

Date: _____

UNSAFE STRUCTURES BOARD MINUTES OF NOVEMBER 17, 1999

Members Present: Harry Childs, Chairman Patricia Birch Kathy Babl-Loy
Orange Hayes Gordon Loader Walter Williams
Jose Vera

Excused: Laurence Michelson

Staff: Herminio Gonzalez for Theodore Berman, Clerk of the Board
Augusto Maxwell, Asst. County Attorney
Nelly Nieves for Yvonne Bell, Recording Secretary

Court Reporter: Melanie Stinson, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:35 P.M. on Wednesday, November 17, 1999, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Childs then requested a motion to approve and accept the minutes of the October 20, 1999 Unsafe Structures Board Meeting. A motion was made by Mr. Loader and seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Gonzalez then announced the following Miami-Dade County and City of Miami cases where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC99-142U	2743 N.W. 60 Street
DC99-289U	15801 N.W. 28 Place
DC99-297U	1791 N.W. 155 Street
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City of Miami Cases:

M99-094	625 N.E. 22 Street
M99-095	701 N.E. 22 Street
M99-096	1426 N.W. 30 Street
M99-097	3611 Stewart Avenue
M99-100	6734 N.W. 4 Avenue
M99-102	434 N.E. 23 Street
M99-103	1420 N.W. 52 Street
M99-104	1883 N.W. 22 Avenue

Mr. Gonzalez announced the following Miami-Dade County and City of Miami cases that were **uncontested/no show**:

Miami-Dade County Cases:

DC97-1111U	19209 N.W. 45 Avenue
DC98-887U	1137 N.W. 102 Street
DC99-117U	5822 N.W. 30 Avenue
DC99-287U	15751 N.W. 28 Court
DC99-291U	2491 N.W. 56 Street
DC99-301U	3130 N.W. 79 Street
DC99-430U	18301 S.W. 102 Avenue
DC99-464U	20151-53 S.W. 89 Avenue
DC99-471U	12015 N.W. 12 Street
DC99-561U	4411 N.W. 13 Street
DC199900664U	18259 N.W. 61 Court

City of Miami Cases:

M99-098	5575 N.W. 17 Avenue
M99-099	6728 N.W. 4 Avenue
M99-101	6750-52 N.W. 3 Avenue

The cases and photographs were submitted to the Board for review as called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Childs requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mrs. Loy and seconded by Mr. Hayes.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants being heard by the Unsafe Structures Board were sworn in by the court reporter.

Mr. Gonzalez then called forth the first case to be presented by the City of Miami Springs where the **owner of the property** wished to speak in regards to the structure:

City of Miami Springs:

MS99-01	749 Hunting Lodge Drive
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Deputy Building Official Michael Sprovero introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Sprovero gave an account of the structure and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today

from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami Springs as soon as possible.”

Mrs. Maria Davis, Director of Public Works for the City of Miami Springs, stated that because the grass and debris was so out of hand she sent a crew of six workers to clean the yard.

Mr. Ed Barton, who lives next door, commented that he could not go outside because of the smell coming from the house. He further informed the Board that there are snakes and animals around the property.

Mr. Greg Orisi, Code Enforcement Officer for the City of Miami Springs, commented that they only want to keep the area presentable to the public.

Property Owner, Charles Meigs informed the Board that he is a retired Airforce Colonel and has owned the house for 26 years. He stated that the City is confusing collector items with junk and trash. The number one thing to target on his list is to have the house exterminated. Mr. Meigs added he needs additional time to repair the structure since he doesn't have the funds to hire professional help he would have to do the repairs himself.

After much discussion, Mr. Childs requested a motion. A motion was made by Mr. Loader that “The structure must be repaired. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within forty-five (45) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the City of Miami Springs as soon as possible.” Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case to be heard presented by Miami-Dade County where one of the **property owners** wished to speak:

Miami-Dade County:

DC199900977U

19741 N.W. 2 Place

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structure and recommended that “said structure (B) be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.”

Mrs. Orle Murray, one of the property owners for this structure, commented that this property was brought out of foreclosure and the violations at that time were not disclosed. Mrs. Murray informed the Board that a roofing contractor was hired to replace the roof in the front and the back, but he only pulled a permit for the front roof causing the violation for the back structure. Mrs. Murray furthermore, explained to the Board that they have since filed under the Amnesty Ordinance and would like time to bring the property up to Code.

After much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Birch that "said structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible." Motion seconded by Mr. Loader.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the third case to be heard also presented by Miami-Dade County where the **property owner** wished to speak:

Miami-Dade County:

DC99-404U

2478 N.W. 55 Street

Deputy Building Official Antonio Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Property owner, Mr. Otis Boston, informed the Board that he is just the second owner of the structure since 1929. He added that at the time of purchasing the property there was alot of drug and prostitution activity in the area. Mr. Boston explained to the Board that he needs at least one year to fully rehabilitate the structure.

After some discussion, Mr. Childs then requested a motion. A motion was made by Mr. Loader that "said structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items

to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred forty-five (45) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within two hundred seventy (270) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.” Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the fourth case to be presented by Miami-Dade County where the **property owner** wished to speak:

Miami-Dade County:

DC99-114U

5900 N.W. 23 Avenue

Deputy Building Official Tony Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that “said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.”

The owner, who was present earlier, was not available to at the time the case was called, Due to the absence of the owner, the Board motioned to defer the case until the December 15, 1999 Unsafe Structures Board hearing.

Mr. Gonzalez then proceeded to called the fifth case to be presented by Miami-Dade County where the **property owner** wished to speak:

Miami-Dade County:

DC199900758U

1991 N.W. 56 Street

Deputy Building Official Antonio Varona introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Varona gave an account of the structure and recommended that "said structure be secured within five (5) working days. The following securing method is approved: storm shutters (1/2 plywood, bolts and lumber as per spec). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The

permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred fifty (150) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred fifty (150) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.” Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Property owner, Mr. Ronald Donaldson stated that he was never properly notified of the violation on the property. He informed the Board that the last tenant moved and the residents behind his property started stealing things from the house. Mr. Donaldson commented that he has contacted the insurance company to receive money for the repairs to the structure and until this is resolved he is asking the Board to give him 150 days for permits and 150 days to repair the property.

After some discussion, Mr. Childs requested a motion. A motion was made by Mrs. Loy to uphold the Building Official’s recommendation to repair the structure. Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the sixth case to be presented by Miami-Dade County where the **representative for the property** wished to speak:

Miami-Dade County:

DC199900659U

Larchmont Gardens – Buildings 1 – 48

Mr. Ricardo Roig, with the Building Department Unsafe Structures Unit, informed the Board that this structure has not obtained its 40-year recertification. Mr. Roig stated that it is his understanding that a 30-day continuance will be requested. He informed the Board that the Building Department is willing to grant the continuance only if legal issues are addressed and not the removal of the Notice of Violation.

Mr. Jacon Dorn, Real Estate Officer for GSA, stated that the continuance is needed to negotiate with the Building Department in regards to Larchmont Gardens.

After some discussion, Mr. Childs requested a motion. A motion to grant a 30-day continuance of this case was made by Mr. Williams. Motion seconded by Mrs. Birch.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the seventh case to be presented by Miami-Dade County where the **representative for the property** wished to speak:

Miami-Dade County:

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structure and recommended that "said structures (A), (B) (C) and (D) be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible."

Mr. Jacon Dorn, Real Estate Officer for GSA, advised the Board the County inherited this property in 1998 due to unpaid taxes. His office was ordered on Oct. 5, 1999 by the Board of County Commissioners to sell the property as is, but bid processing will take some time. Mr. Dorn offered a time-table to the Board consisting of: permits to be pulled on 07/21/00, work commences on 08/30/00 and work completed by 02/28/01.

Upon much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Birch that "said structures (A), (B) and (D) be secured within five (5) working days. The following securing method is approved: fencing. The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor pursuant to Section 10-5 (2) of the Miami-Dade County Code by July 30, 2000. The completion or repair of said structures shall conform to the latest South Florida Building Code and shall commence by October 30, 2000 and completed by February 28, 2001. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible."

Mrs. Birch went on to read the recommendation for structure (C) announcing that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible." These motions were seconded by Mr. Loader.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the eighth case to be presented by Miami-Dade County where the **property owner** wished to speak:

Miami-Dade County:

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structures and informed the Board that structure (A) has no violation, but structures (B) and (C) are to be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the County as soon as possible.”

The property owner, Nasir Mahmood, commented that he and the general contractor have prepared a plan for the building. He also would like to have the Notice of Violation removed so he can refinance his loan and show that he is working to rehabilitate the structure.

Upon much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Loy that "said structures be secured within five (5) working days. The following securing method is approved: storm shutters (1/2" plywood, bolts and lumber as per specs). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.” Motion seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the ninth case to be presented by Miami-Dade County where **the property** wished to speak:

Miami-Dade County:

DC98-582U

914 N.W. 80 Street

Deputy Building Official Julio Navarro introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Navarro gave an account of the structure and recommended that “said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.”

Attorney for the owner, D.S. Airan, informed the Board that he is not properly prepared to present his case because he wasn't notified of the hearing until yesterday. Mr. Airan stated that the 90% deterioration quoted by the inspector is not correct since his architect received a much lower percentage. He is requesting of the Board to give him 45 days to pull the permits, 180 days to validate the repairs and the County can administer the testing to see if the structure meets the Code.

After much discussion, A motion was made by Mrs. Birch to defer this case for thirty (30) days until the attorney can provide proper testimony to substantiate his case. Motion seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the last case to be presented by Miami-Dade County where **the property** wished to speak:

Miami-Dade County:

DC98-837U

1349 N.W. 75 Terrace

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal gave an account of the structure and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible."

Mr. Sunday Enorgieru, the general contractor for the property, stated that in his estimate the structure is only 25% damaged. He added that the building is repairable and is asking for a reasonable amount of time to submit plans to make this building presentable in the community.

Property owner, Christopher Johnson, commented that he wants to repair the house and live in it. Mr. Johnson informed the Board that he would need 90 days to pull permits and 180 days to repair the house.

Upon much discussion, Mr. Childs requested a motion. A motion was made by Mrs. Birch that "said structures be secured within five (5) working days. The following securing method is approved: storm shutters (1/2" plywood, bolts and lumber as per specs). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. The structure must be repaired or completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred eighty (180) days after obtaining the permit.

Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.” Motion seconded by Mr. Loy.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 5:15 P.M.

Prepared by: _____
Recording Secretary

Chairman

Date: _____

UNSAFE STRUCTURES BOARD MINUTES OF DECEMBER 15, 1999

Members Present: Harry Childs, Chairman Patricia Birch Kathy Babl-Loy
Laurence Michelson Gordon Loader Walter Williams

Excused: Orange Hayes Jose Vera

Staff: Theodore Berman, Clerk of the Board
Bruce Libhaber, Asst. County Attorney
Yvonne Bell, Recording Secretary

Court Reporter: Herb Kroll, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:35 P.M. on Wednesday, November 17, 1999, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Childs then requested a motion to approve and accept the minutes of the November 17, 1999 Unsafe Structures Board Meeting. A motion was made by Mrs. Loy and seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs asked if there were any cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Theodore Berman announced the following City of North Miami Beach case **deferred** until the January 19, 2000 Board Hearing:

North Miami Beach Case:

NMB99-05 1869 N.E. 182 Street

Mr. Berman announced the following Miami-Dade County case **withdrawn**:

Miami-Dade County Case:

DC199900671U 3884 N.W. 213 Street

Mr. Berman then announced the following Miami-Dade County and City of Miami cases where **agreements** had been made with the Building Official:

Miami-Dade County Cases:

DC98-807U 1760 N.W. 85 Street
DC99-473U 12025 N.W. 12 Street

City of Miami Case:

M99-105 209 S.W. 5 Avenue

Mr. Berman announced the following Miami-Dade County and City of Miami cases that were **uncontested/no show**:

Miami-Dade County Cases:

DC99-114U	5900 N.W. 23 Avenue
DC99-336U	10545 S.W. 178 Street
DC99-477U	11846 S.W. 213 Street
DC99-301U	3130 N.W. 79 Street
DC199900814U	7590 N.W. 17 Avenue

City of Miami Cases:

M99-106	1621 N.W. 69 Terrace
M99-107	1720 N.W. 44 Street
M99-108	1601 N.W. 62 Street
M99-109	661 N.W. 51 Street

The cases and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mr. Childs requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mr. Michelson and seconded by Mrs. Birch.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Childs informed those appellants who were able to come to an amicable agreement with the Building Official that their agreements had been ratified by the Board and they were free to leave.

The Building Official's and Appellants being heard by the Unsafe Structures Board were sworn in at 1:44 P.M. by the court reporter.

Mr. Berman then called forth the first case to be presented by Miami-Dade County where the County wished to read into the records an agreement between the two parties.

Miami-Dade County:

DC199900659U Larchmont Gardens – Various Addresses

Mr. Ricardo Roig, with the Building Department Unsafe Structures Unit, introduced himself and presented the members with a copy of a written agreement between the Unsafe Structures Unit and the Miami-Dade Housing Agency. Mr. Roig informed the Board that there are close to 50-Multiunit Buildings that have yet to receive their 40-year re-certification. He stated that each

Building has a different folio number and the new owner will have to make the determination as to which building to repair first. He then proceeded to read the agreement into the records as follows:

All structures and buildings will be ***maintained*** secured with fencing. The structures and buildings must be maintained secure and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti.

- (1) Within ninety (90) days of the closing the new buyers will apply for 8 building permits for 8 buildings.
- (2) Within nine (9) months of the closing an additional 10 building permits for 10 additional buildings will be obtained.
- (3) Within fifteen (15) months of the closing an additional 10 building permits for 10 additional buildings will be obtained.
- (4) Within twenty-one (21) months of the closing an additional 10 building permits for 10 additional building will be obtained.
- (5) Within twenty-seven (27) months of the closing all remaining permits for all remaining building will be obtained.
- (6) All final inspections for all of the buildings will be obtained within thirty-six (36) months of the closing date.

If any of the above conditions are not complied with, a ten- (10) day non-compliance letter will be issued to all interested parties and said order will be enforced.

In the event the closing does not take place by March 10th, 2000, Miami-Dade Housing Agency will appear before the Unsafe Structures Board to present a new plan of action.

As each building obtains a final inspection the new buyer may request that the Notice of Violation and Board Order be lifted from the title. The Building Department, Unsafe Structures Unit will then issue a release once a final inspection has been obtained.

After some discussion, Mr. Childs requested a motion. A motion was made by Mr. Birch to accept the agreement with the following amendment to add the wording a ***minimum***:

All structures and buildings will be ***maintained*** secured with fencing. The structures and buildings must be maintained secure and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti.

- (1) Within ninety (90) days of the closing the new buyers will apply for a **minimum** of 8 building permits for 8 buildings.
- (2) Within nine (9) months of the closing a **minimum** of 10 building permits for 10 additional buildings will be obtained.
- (3) Within fifteen (15) months of the closing a **minimum** of 10 building permits for 10 additional buildings will be obtained.
- (4) Within twenty-one (21) months of the closing a **minimum** of 10 building permits for 10 additional building will be obtained.
- (5) Within twenty-seven (27) months of the closing all remaining permits for all remaining building will be obtained.
- (6) All final inspections for all of the buildings will be obtained within thirty-six (36) months of the closing date.

If any of the above conditions are not complied with, a ten- (10) day non-compliance letter will be issued to all interested parties and said order will be enforced.

In the event the closing does not take place by March 10th, 2000, Miami-Dade Housing Agency will appear before the Unsafe Structures Board to present a new plan of action.

As each building obtains a final inspection the new buyer may request that the Notice of Violation and Board Order be lifted from the title. The Building Department, Unsafe Structures Unit will then issue a release once a final inspection has been obtained.

Amendment seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called forth the last case to be heard presented by Miami-Dade County where **the property owner, attorney and architect** wished to speak:

Miami-Dade County:

DC98-582U

914 N.W. 80 Street

Deputy Building Official Edward Villareal introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Villareal gave an account of the structure and recommended that “said structure (B) be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible.”

Attorney Michelle Debianchi, representing the property owner, stated that the Board needs to determine a reasonable amount of time to repair the structure per the order of the courts. The Building Department estimated 90% deterioration and their estimation is only 45% to 50% of the building needs to be repaired. Mrs. Dibanchi stated the initial violation came about because the owner was trying to secure the house.

George Lestay, Architect, commented that he saw the house before the owner bought it in 1998 and the house only needs cosmetic repairs done. Mr. Lestay further stated that if the structure is deemed over 50% damage he will need 30 days to look things over.

Erica Isidron, the daughter of the property owner, stated that when they tried to pull permits they were denied.

After some discussion, Mr. Childs requested a motion. A motion was made by Mr. Williams to uphold the Building Official's recommendation to demolish the structure within thirty (30) days.

Throughout further discussion, Mr. Loader presented a motion that “said structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of

discoloration or graffiti. The structure must be completed with Architect/Engineer's sealed plans. A building permit must be obtained for all repairs and items to be completed. The permit documents shall first be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within one hundred ninety (90) days from today. The completion or repair of said structure shall conform to the latest South Florida Building Code and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the County as soon as possible and the structure must have asbestos testing as per the South Florida Building Code."

A roll call vote was requested by Mr. Childs.

Motion passed 4 to 2. Mr. Michelson and Mr. Williams were opposed.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 3:05 P.M.

Prepared by: _____
Recording Secretary

Chairman

Date: _____